

TENDER TREN/D2/491-2008

REAL POTENTIAL FOR CHANGES IN THE GROWTH AND USE OF EU FORESTS

Frequently asked questions

Background

The publication of the Frequently Asked Questions aims to facilitate eventual organisations interested in submitting tenders by clarifying certain issues that may not be clear in the terms of reference and to provide transparency.

Question 1: Is the composition of the consortium team of experts taken into account during the evaluation of the tenders?

Answer 1: The organisation's or consortium's personnel responsible for carrying out the work specified in the terms of reference is very important for any tender as this provides the basis for the European Commission to establish the relative strength of the various applications and for this reason there is an obligation to submit the CVs of all participating experts.

Question 2: Is it possible to submit a tender based on a consortium with higher education institutes?

Answer 2: Indeed, several organisations including higher education institutes can form a consortium and the leader of the consortium will submit the tender to the European Commission and sign eventually the contract. Especially for studies with a European dimension as this one, participants from other EU countries may increase the strength of the consortium.

Question 3: Is there a fixed price per mandate in order to calculate the price for our tender?

Answer 3: There is no specification for the cost of a man-day as this varies widely from country to country.

Question 4: How can our organisation best assist the implementing project team with our forest management planning data/availability potential (managing 45 mio hectares), our singular strategic options/concerns in the overall RES field (results from our Working group meetings), and what will be the most feasible way to integrate our organisation's expertise in the project?

Answer 4: The only possibility to address these issues is by submitting a tender application on behalf of your organisation or integrate your organisation in another consortium?

Question 5: How can UN organisations participate in such a tender, will such a participation be governed by the FAFA agreement which lays down the modalities with which EU and UN bodies can cooperate, notably by EU financial support of UN activities?

Answer 5: Public tenders, by which the European Commission procures information, are not covered by the FAFA agreement which, as you correctly mention, applies when the EC supports UN activities. In this case, the European Commission buys services; it does not support UN activities. However, UN organisation can participate in a tender procedure as any other candidate. If awarded they will have to abide draft contract provisions.

Question 6: To what extent will the work we might carry out be restricted to EC use (e.g. publication of interim results, open discussion with stakeholders)?

Answer 6: Since the European Commission pays 100% of the costs of the contract, the results are considered to be ownership of the European Commission and the EC may decide to publish or not the results of the study.

Question 7: Our organisation aims to be part of a group and will act as a sub-contractor who will contribute less than 20% of the tender contract. Will we have to sign the declaration in Annex 4?

Answer 7: As specified in tender page 12 section III.2.1; since the participation of your organisation will be that of a subcontractor with a contribution of less than 20% of the tender contract you will not have to sign the declaration in Annex 4.

Question 8: taking into account that most forest-related data are available public domain, or are available upon request or should be purchased or finally are already part of our own data sets, what exactly do you mean for "proof of access authorisation"?

Answer 8: In case important data are not in the public domain and you are aware of such data, you have to provide proof that you can access the data.

Question 9: Referring to the "level of detail of the tender will be extremely important for the evaluation of the tender", we understand that the greatest accuracy is requested. If any database of statistical units will be included in the analysis, do the tenderer have to purchase the database or the DGTREN will facilitate the access?

Answer 9: The "level of detail" refers to the whole of the technical part of the tender and not only to the accuracy of the data. In case of any 3rd party data base the tenderer will have to purchase the database.

Question 10: Concerning the geographical scope, should the study concentrate on EU MS forest or on larger Europe (except for point one in the objective where is clearly stated "an extensive literature survey in the EU and the rest of Europe")? And what you exactly you mean by "across a representative spectrum of EU member states to make estimations"?

Answer 10: The objective of the tender is the EU forests. Any additional information or eventual expansion of the study to address European Forests is welcome so long as it will not compromise the accuracy of the information. In case the accuracy of the data for certain parameters is not the same across the EU Member states, then it would be acceptable to collect accurate data from a representative spectrum of EU Member States in order to make reliable estimations.

Question 11: Do we understand correctly that the price should be duly detailed?

Answer 11: The final offer must be a single fixed price. However, the fixed price should be detailed including travel expenses and subsistence costs.

Question 12: Are grouping and consortium related to any legal/administrative form or they can be informal? In this former case, it is meant that the company/person heading the project should submit its own letter together with a letter of authorisation from each partner?

Answer 11: Groupings or consortia do not need a special legal form. They need however to specify, by a document/letter, the company or the person heading the project, who will be, vis à vis the Commission, the only contracting party responsible for the performance of this contract.

Question 13: For private Italian companies Special conditions as specified in the draft Contract apply: *"For Contractors established in Italy, the provisions of the Contract constitute a request for VAT exemption, provided the Contractor includes the following statement in his invoice(s): "Operazione non imponibile ai sensi dell'articolo 72, comma 3) paragrafo 3 del D.P.R. n. 633 del 26/10/1972 come modificato da ultimo dal D.L. n. 323 del 20/06/1996 convertito in Legge n.425 dell'8/8/1996?."* Shall the invoice from the Italian partner be addressed to the consortium leader (signing directly with the EC and therefore VAT exempted) or it could be done under the special conditions mentioned above?

Answer 13: According to Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965 (OJ L 152 of 13 July 1967) the Communities are tax and VAT exempted in the EU under where they make substantial purchases in the Community for their official use.

The Commission will only have a contractual relation with the leader signing the contract who will be the only responsible vis à vis the Commission. Hence, the VAT exemption will only concern the contractor signing the contract and, according to where it is located, the appropriate method of exemption will apply.